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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,796	09/29/2003	Janne Kallio	KOLS.058PA	2976
7590 Hollingsworth & Funk, LLC Suite 125 8009 34th Avenue South Minneapolis, MN 55425			EXAMINER SEYE, ABDOU K	
			ART UNIT 2194	PAPER NUMBER
			MAIL DATE 07/24/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/673,796	Applicant(s) KALLIO ET AL.	
	Examiner Abdou Karim Seye	Art Unit 2194	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 July 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____
Claim(s) objected to: _____
Claim(s) rejected: 1-35.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.


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Continuation of 11. does NOT place the application in condition for allowance because:

a. The amendment filed on July 06, 2007, has overcome the rejections to Claims 9-10 and 24 under 35 U.S.C. 112, second paragraph of the previous office action by amending these claims. Therefore, the examiner hereby withdraws those objections.

However, the Examiner notes that Claims 12-13, 16, 21 and 25 contain the trademark/trade name "Java", and "Symbian OS". Applicant is limited to claim only those versions of "Java" and Symbian OS" known at the time of the invention. Claiming any version of trademark product would include all future versions of these products. Further any future versions of these products may not work with applicant's claimed invention.

b. Applicant argues that, "Lavian does not teach executing a proxy application in a terminal equipment where the proxy application provides an accessory software application with services offered by the application interface of the terminal equipment." The examiner disagrees since, Lavian teaches in (FIG. 1) a terminal target network device 112, a client user interface 114 a client application 226 in (FIG. 2) and a proxy associated with the execution of an application on the target device (FIG. 7, col. 9, lines 55-67). These above elements of Lavian's reference combined together meet the claimed limitation of the claim.

c. Claim 34 and 35: In response to applicant's argument that " these claims are not included in any of the statements of rejection". These claims were rejected under 35 U.S.C. 102 in paragraph 5, page 4, lines (1-10) of the previous office action.

d. as per claim 3, the applicant argues that Lavian "makes no reference to downloading after detecting the accessory". The examiner disagrees since, the authentication and identification as disclosed by Lavian in (col. 3, lines 17-30) constitute a detection of the accessory before downloading applications.

e. as per claim 28, the applicant argues that Lavian " does not identify any cover as claimed". The examiner disagrees since, Lavian discloses devices accessories such as switches/routers in (col. 3, line 1) and printer/ pointer devices/ keyboard in (col. 4, lines 30-35). These devices have some sort of container that constitute a cover.

f. as per claims 16 and 25: in response to applicant's argument that "motivation has not been presented, nor does such motivation exist based on the cited reference" for the 103 rejections. The examiner disagree, since the following motivation were presented in the 35 USC 103 section, paragraph 7 of the previous office action. One would have been motivated to include "Symbian OS" as the software platform in order to reduce cost associated with improvement of performance provided by a (RTOS) (Lavian, col. 4, lines 47-49) since, "Symbian OS" is a well known efficient type of (RTOS).



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